

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

May 1, 2006

**CALL TO PODIUM:**

James D. Arnoult

**RESPONSIBLE STAFF:**

Walter J. DeBord

**AGENDA ITEM:**

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
X	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

**TITLE:**

Resolution of the Mayor and City Council Authorizing the City Manager to Reject All Bids for Playground Design and Equipment Purchase for Malcolm King Park (Bid #2006-007)

**SUPPORTING BACKGROUND:**

The existing playground equipment at Malcolm King Park is approximately 15 years old and needs to be replaced. Staff has worked with community groups to design the new playground. After all interested persons had the opportunity to submit their ideas; a playground wish list was generated.

This wish list was incorporated into the Request for Design. Under the Conformance Guidelines in this request, staff specified that the equipment be accessible to wheelchairs. After reviewing the submittals, it was determined that some vendors met the technical aspects of this specification as it relates to the Federal Guidelines for Americans with Disabilities, and other vendors met the City's intent of this specification for making most of the playground components wheelchair accessible. None of the vendors met both the technical aspects and the City's intent of this specification. Both need to be met.

Wheelchair accessibility is a critical feature for this playground. Upon review of this specification, staff has determined that indeed this portion of the design request was confusing and needs additional detail and explanation to make sure all proposed designs meet both the technical aspects of the Americans with Disabilities Act and the City's intent for wheelchair accessibility on this structure.

Staff therefore recommends that all bids for Playground Design and Equipment Purchase for Malcolm King Park be rejected. The design specifications will be modified and this project will be re-bid. As with the first bid, the specifications will remain generic in nature and should allow most playground manufacturers to bid the project.

**DESIRED OUTCOME:**

Vote on Resolution

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO REJECT ALL  
BIDS FOR PLAYGROUND DESIGN AND EQUIPMENT  
PURCHASE FOR MALCOLM KING PARK, BID #2006-007

WHEREAS, Bid #2006-007, a Request to Bid for Playground Design and Equipment Purchase for Malcolm King Park, was advertised in the January 25, 2006 issue of the Gaithersburg Gazette, and sealed bids were opened on February 22, 2006; and

WHEREAS, it has been determined that certain specifications in the bid documents did not contain sufficient detail and explanation; and

WHEREAS, the Request for Bid specifically reserves to the City the right to reject all bids in part or full; and

WHEREAS, it has been determined that all bids should be rejected and the project should be re-bid with modified and more detailed specifications:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the City Manager be and he hereby is authorized to reject all bids for the above project and re-bid the project with modified specifications.

ADOPTED by the Mayor and City Council this 1<sup>st</sup> day of May, 2006.

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SIDNEY A. KATZ, MAYOR and  
President of the Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council  
in public meeting assembled on the 1<sup>st</sup> day  
of May, 2006.

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David B. Humpton, City Manager